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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/716,911	11/19/2003	Yuji Soejima	032405.0741	8893	
25461 7.	590 06/02/2004		EXAM	EXAMINER	
SMITH, GAMBRELL & RUSSELL, LLP			SY, MARIANO ONG		
	ROMENADE II REE STREET, N.E.		ART UNIT	PAPER NUMBER	
	GA 30309-3592		3683		
			DATE MAILED: 06/02/200	4	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	<b>M</b> -				
Office Action Summary	10/716,911	SOEJIMA ET AL.					
Office Action Summary	Examiner	Art Unit					
The MAN INC DATE of this community	Mariano Sy	3683	dress				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
1) Responsive to communication(s) file	d on						
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, —							
Disposition of Claims			•				
<ul> <li>4)  Claim(s) 2-4 and 6-8 is/are pending in the application.</li> <li>4a) Of the above claim(s) is/are withdrawn from consideration.</li> <li>5)  Claim(s) is/are allowed.</li> <li>6)  Claim(s) 2-4 and 6-8 is/are rejected.</li> <li>7)  Claim(s) is/are objected to.</li> <li>8)  Claim(s) are subject to restriction and/or election requirement.</li> </ul>							
Application Papers							
9)⊠ The specification is objected to by the Examiner.							
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority under 35 U.S.C. § 119							
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>							
Attachment(s)							
<ol> <li>Notice of References Cited (PTO-892)</li> <li>Notice of Draftsperson's Patent Drawing Review (P</li> <li>Information Disclosure Statement(s) (PTO-1449 or Paper No(s)/Mail Date <u>11192003</u>.</li> </ol>	TO-948) Pape PTO/SB/08) 5) Notice	view Summary (PTO-413) r No(s)/Mail Date se of Informal Patent Application (PT	O-152)				

Application/Control Number: 10/716,911

Art Unit: 3683

## **DETAILED ACTION**

- 1. The Information Disclosure Statement PTO-1449 filed on November 19, 2003 under Foreign Patent Documents "JP 10-119774" should be --JP 10-119744--.
- 2. The disclosure is objected to because of the following informalities: page 2, line 9 "breaking force" should be --braking force--.

  Appropriate correction is required.

## Claim Rejections - 35 USC § 112

- 3. The following is a quotation of the second paragraph of 35 U.S.C. 112:
  The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 4. Claims 2-4 and 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "a braking force distribution control between front and rear wheels as specified" in lines 5-6. It is unclear as to what applicant intends to convey.

Claim 2 recites the limitation "a stepwise pressure increase control thereof" in lines 8-9. It is unclear and vague what applicant intends to convey.

Claim 2 recites the limitation "a start of the control" in line 11. It is unclear and vague as to the control of what?

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Claim 6 recites the limitation "said stepwise pressure increase control providing a stepwise pressure increase up to a braking pressure to be reached at a start of the control of the braking force." in lines 9-11. It is unclear as to what applicant intends to convey.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariano Sy whose telephone number is 703-308-3427. The examiner can normally be reached on Mon.-Fri. from 9:00 A.M. to 3:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Lavinder, can be reached on 703-308-3421. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

why M. Sy

May 19, 2004

MATTHEW C. GRAHAM PRIMARY EXAMINER GROUP 310

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